UNITED STATES PATENT AND TRADEMARK OFFICE

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10/661,619	09/15/2003	Cian Kinsella	P69138US0	7942

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EXAMINER
LUDWIG, PETER L

ART UNIT	PAPER NUMBER
3621	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/07/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

PTOL-90A (Rev. 10/06)

	Application No.	Applicant(s)
Office Action Summary	10/661,619	KINSELLA ET AL.
	Examiner	**Art Unit**	
	Peter L. Ludwig	3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>07 June 2005</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-20 and 22</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-20 and 22</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>15 September 2003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☒ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>12/11/2003</u>.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

For the means plus function language in the claims, the Examiner is not invoking 35 U.S.C. §

112, sixth paragraph.

Priority

1.   Acknowledgment is made of applicant's claim for continuation based on an application

filed on Mar. 15, 2002. It is noted, however, that applicant has not filed a certified copy of the

PCT/IE02/00030 application as required by 35 U.S.C. 119(b).

Claim Rejections - 35 USC § 112

2.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the
> subject matter which the applicant regards as his invention.

3.   Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing

to particularly point out and distinctly claim the subject matter which applicant regards as the

invention. The term "determining" is vague and indefinitely because the Examiner cannot fully

understand how the applicant intends on determining the applicable authority state.

4.   Claim 19 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for

failing to particularly point out and distinctly claim the subject matter which applicant regards as

the invention. The term "don't care" is vague and indefinite because "don't care" can mean

different things to various people.

5.   Claim 20 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for

failing to particularly point out and distinctly claim the subject matter which applicant regards as

the invention. The phrase "over-riding enabled flags" is vague and indefinite because this can be

done many different ways when given it's broadest reasonable interpretation.

Claim Rejections - 35 USC § 102

6.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7.   Claims 1-4, 11-12 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by

Saito (U.S. Patent No. 5,974,141).

8.   As per claim 1, Saito teaches a transaction authorisation system comprising means for

authorising a transaction according to stored conditions (abstract, lines 2-3; Examiner is

interpreting the public key and secret key and being stored and used for authorisation; Examiner

is defining "transaction" as a communication involving two or more entities that affects all those

involved; personal interaction as defined by The American Heritage Dictionary) and for

interfacing with a transaction system (abstract, lines 1-2 and 6-10; Examiner is interpreting the

fact that data is being transferred as having evidence of interfacing between a transaction

system), wherein

- **the authorisation system (2) comprises an authorisation model (4) having a plurality of authority states (10) defining a plurality of required signatories** (col. 3, lines 34-35; col. 5, lines 23-31) **for authorisation of a proposed transaction** (col. 3, lines 1-27);

- **the system (2) comprises means for allowing online user definition** (abstract, lines 1-2; Examiner is interpreting the means as a computer with an interface) **and updating of the model (4) using user client systems** (Figs. 1A-D, abstract, lines 15-17; Examiner is interpreting updating equivalent to allowing the user to edit the data);

- **the system comprises means (3) for receiving a request for a proposed transaction (abstract, lines 1-2), for determining an applicable authority state (10)(col. 21, lines 28-38), and for authorising the proposed transaction when sufficient signatory approvals have been received to satisfy the authority state** (col. 25, lines 36-41).

9.   As per claim 2, Saito teaches the transaction authorisation system of claim 1 as described above. Saito further teaches **wherein at least some authority states comprises a signatory group (21) of signatory nodes (24), whereby all signatories of the group must approve** (col. 3, lines 1-18; col. 5, lines 28-30).

10.   As per claim 3, Saito teaches the transaction authorisation system of claim 1 as described above. Saito further teaches **wherein at least some authority states (10) comprise a signatory set (30) of signatory nodes (31), whereby any one signatory of the set must approve** (col. 3, lines 1-18; col. 5, lines 28-30).

11.   As per claim 4, Saito teaches the transaction authorisation system of claim 2 as described above. Saito further teaches **wherein at least some authority states (10) comprise a complex hierarchical structure of groups and sub-groups, the structure comprising at least three hierarchical levels** (col. 3, lines 1-18; col. 5, lines 28-30).

12.   As per claim 11, Saito teaches the transaction authorisation system of claim 1 as described above. Saito does further teach **wherein the system (2) further comprises means for downloading a wizard program (55) via an encrypted connection to a user client system (1)** (col. 4, lines 37-42), **the wizard program (55) being for guiding a user through a process of defining the control model (4)** (col. 18, lines 30-43; Examiner is interpreting the agent-oriented

software as the wizard program due to the explanation of "The agent-oriented software, unlike

the conventional one, is a program having autonomy, flexibility and cooperativeness, which is

able to meet a user's request with its characteristics of autonomy, flexibility and cooperativeness

in accordance with only a general instruction of the user without specifically giving every

operation instruction to the software").

13.   As per claim 12, Saito teaches the transaction authorisation system of claim 1 as

described above. Saito further teaches wherein the system (2) comprises an online server (3)(col.

3, lines 44-45; col. 2, lines 65-67) for user access, said server comprising:

- **a web channel (60, 61) for user control model definition** (Fig. 1A and Fig 12A);

- **a channel manager (70, 71, 72) for real time transaction execution** (col. 1, lines 45-
  55).

14.   As per claim 22, Saito does teach the computer program product comprising software

code for performing authorisation operations of an authorisation system of claim 1 when

executing on a digital computer (abstract, lines 1-2).

Claim Rejections - 35 USC § 103

15.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

16.   Claims 5-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saito in view

of Langhans et al. (U.S. Patent No. 5,621,201)[hereinafter Langhans].

17.   As per claim 5, Saito teaches the transaction authorisation system of claim 3 as described

above. Saito does not further teach **wherein at least some authority states (10) comprise a**

hierarchical structure of sets and sub-sets.

    However, Langhans does teach **wherein at least some authority states (10) comprise a**

hierarchical structure of sets and sub-sets (Fig. 4).

    Therefore, it would have been prima facie obvious to one of ordinary skill in the art at the

time of the invention to combine sets and sub-sets into the authorization hierarchy with

Reference A for the useful purpose of applying different authorization tests for each position in a

hierarchy, with a particular position being required to pass not only its own test, but the test of

elements higher in the hierarchical tree, as taught by Langhans (abstract, lines 10-14).

18.   As per claim 6, Saito teaches a transaction authorisation system of claim 1 as described

above. Saito does not further teach **wherein each authority state (10) 's associated with a**

transaction type as defined by conditions (11).

However, Langhans does teach **wherein each authority state (10) 's associated with a transaction type as defined by conditions (11)** (col. 13, lines 32-40; Examiner is interpreting the "merchant code" as the conditions defined by the transaction; Examiner is also interpreting this as being associated with the authority state due to it being transferred to a "diversion account" where it will be authorized differently).

Therefore, it would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to combine **wherein each authority state (10) 's associated with a transaction type as defined by conditions** for the useful purpose of selecting which types of transaction should be directed to a diversion account, as taught by Langhans (col. 13, lines 36-38).

19.   As per claim 7, Saito and Langhans teach the transaction authorisation system of claim 6 as described above. Saito further teaches **wherein the system (2) comprises a template update interface comprising means for allowing users to update and define the conditions using a graphical display** (Fig. 1C-D; col. 3, lines 44-59; col. 7, lines 34-43).

20.   As per claim 8, Saito and Langhans teach the transaction authorisation system of claim 7 as described above. Saito does not further teach **wherein said interface (30) comprising means for allowing users to define the authority states (10) using a graphical display.**

Langhans does teach **wherein said interface (30) comprising means for allowing users to define the authority states (10) using a graphical display** (col. 10, lines 32-37).

Therefore, it would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to combine the updating of authority states with Reference A, for the useful

purpose of reflecting changed conditions caused by reorganizations, acquisitions, sales, etc., as taught by Langhans (col. 10, lines 33-34).

21.   As per claim 9, Saito and Langhans teach the transaction authorisation system of claim 7 as described above. Saito does teach **wherein the system (2) comprises means for storing a user-defined template for each associations of conditions (11) and authority state (10), for determining (42) a relevant template for a proposed transaction if parameters of the proposed transaction satisfy the conditions** (col. 4, lines 25-36; Examiner is interpreting the storing of the original data and the editing scenario, and further the user label, the original data label and the edit label as storing the "user-defined template" which is inherently associated with the conditions and authority state. The fact that any label (or template) was chosen for use by the user is a means of determining a relevant template), **and for retrieving an authority state (10) associated with the template (29)** (col. 5, lines 23-31; Examiner is interpreting the fact that the data management system knows if the template has been edited or not, and provides different certifiers for each, that the data management system retrieves an authority state from the label (or template)).

22.   As per claim 10, Saito teaches the transaction authorisation system of claim 1 as described above. Saito does not further teach **wherein the system comprises means for transmitting (49) a notification to all signatories of a selected authority state (10), and for dynamically monitoring (50) received responses to determine if the authority state is satisfied.**

Langhans does teach **wherein the system comprises means for transmitting (49) a notification to all signatories of a selected authority state (10)** (col. 2, lines 1-11), **and for**

dynamically monitoring (50) received responses to determine if the authority state is satisfied (Fig. 9; col. 6-7, lines 45-67 and lines 1-16).

Therefore, it would have been prima facie obvious to one of ordinary skill in the art to combine a means for transmitting an authorization response and a test in order to determine if the authority state is satisfied, with Reference A, for the useful purpose of making sure the authorization test gets to each level of the hierarchy as shown in Fig. 4, taught by Langhans.

23.   Claims 13-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saito in view of Ginter et al. (U.S. Patent No. 5,949,876)[hereinafter Ginter].

24.   As per claim 13, Saito teaches the transaction authorisation system of claim 12 as described above. Saito does not further teach, **wherein the web channel comprises an account list filter (61) comprising means for building a list of allowable funding accounts associated with a user.**

However, Ginter does teach **wherein the web channel comprises an account list filter (61) comprising means for building a list of allowable funding accounts associated with a user** (col. 36, lines 24-44).

Therefore, it would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to combine the building of a list of allowable funding accounts associated with a user, with Reference A for the useful purpose of supporting electronic currency, billing, payment and credit related activities, as taught by Ginter (col. 36, lines 29-31).

25.   As per claim 14, Saito teaches the transaction authorisation system of claim 12 as

described above. Saito does not further teach **wherein the web channel further comprises a**

transaction type filter (60) comprising means for building a list of allowable transaction

types associated with a user.

However, Ginter does teach **wherein the web channel further comprises a transaction**

type filter (60) comprising means for building a list of allowable transaction types

associated with a user (col. 36, lines 30-35; Examiner is interpreting this as a means for

generating an allowable list; col. 15, lines 6-30).

Therefore, it would have been prima facie obvious to one of ordinary skill in the art at the

time of the invention to combine the generation of a list after the privacy filtering of various

types of transactions with Reference A for the useful purpose of augmenting configurability,

portability, and security of the VDE environment, as taught by Ginter (col. 15, lines 30-33)

26.   As per claim 15, Saito teaches the transaction authorisation system of claim 12 as

described above. Saito does not further teach **wherein the channel manager comprises an**

authorisation data manager (71) comprising means for building look-up tables within

objects by querying a rule database.

Ginter does teach **wherein the channel manager comprises an authorisation data**

manager (71) comprising means for building look-up tables within objects by querying a

rule database (col. 116, lines 1-19).

Therefore, it would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to combine the building of look-up tables within objects by querying a rule database, with Reference A, for the useful purpose of linking or binding the elements into a single cohesive executable so the load module can reference data structures and any other load module in the component assembly, as taught by Ginter (col. 116, lines 14-17).

27.   As per claim 16, Saito and Ginter teach the transaction authorisation system of claim 15 as described above. Saito does teach **wherein the authorisation data manager (71) comprises means for building said objects at the start of a user session and for storing said objects for processing of request by the user** (col. 7, lines 34-43). Saito does not teach wherein the said objects are stored temporarily or "cached" for processing of request by the user.

Ginter does teach the method of caching data (col. 71, lines 38-44).

Therefore, it would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to combine the method of caching data with the authorization data manager for the useful purpose of significantly improving access times to information stored externally to an SPU, as taught by Ginter (col. 71, lines 45-48).

28.   As per claim 17, Saito and Ginter teach the transaction authorisation system of claim 15 as described above. Saito does not teach **wherein the channel manager comprises an authorisation rule engine (70) comprising means for querying the authorisation data manager (71) to check if a proposed transaction meets transaction conditions, and for managing notification of signatures specified in the relevant authority state.**

Ginter does teach **wherein the channel manager comprises an authorisation rule engine (70) comprising means for querying the authorisation data manager (71) to check if a proposed transaction** (col. 116, lines 1-7) **meets transaction conditions** (col. 116, lines 10-14; Examiner is interpreting the fact that if the data is properly decrypted, that it meets the conditions of the transaction), **and for managing notification of signatures specified in the relevant authority state** (col. 116, lines 7-13; col. 147, lines 34-47; Examiner is interpreting the fact that each piece of data is combined with a permission record, that when this data is in the process of being extracted, it must go through the relevant authority to ensure proper permission is granted).

Therefore, it would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to combine the channel manager's use of authorization as stated above with Reference A, for the useful purpose of controlling how access and/or manipulation permissions are distributed and/or how content and/or other information may be used, as taught by Ginter (col. 147, lines 43-45).

29.   As per claim 18, Saito and Ginter teach the transaction authorisation system of claim 17 as described above. Saito does further teach, wherein the system further comprises a role manager (72) comprising means for: **authenticating a user to determine a user identifier** (col. 21, lines 28-38). However, Saito does not teach **using the identifier to determine a plurality of roles associated with the user, said roles containing access level permission values; building a role object comprising a combination of all of said role permission values; and using said role object to control user access to the system during a session.**

Ginter does further teach wherein the system further comprises a role manager (72) comprising means for: **using the identifier to determine a plurality of roles associated with the user** (Fig. 5B – Permissions Record 808; Examiner is interpreting the identifier to be any of the user information provided), **said roles containing access level permission values** (Fig. 5B; col. 59, lines 5-10); **building a role object comprising a combination of all of said role permission values** (Fig. 5A – Content Container); **and using said role object to control user access to the system during a session** (col. 59, lines 5-10).

Therefore, it would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to combine permission values associated with a user to control user access with Reference A, for the useful purpose of protecting security related information, as taught by Ginter (col. 59, lines 8-10).

30.   As per claim 19, Saito and Ginter teach the transaction authorisation system of claim 18 as described above. Saito does not further teach wherein said permissions comprise "enabled", "excluded", and "don't care" flags for a user for an access level.

Ginter does teach the concept of validation flagging (col. 215, lines 8-45; Examiner is interpreting the various types of flags – enabled, excluded, and don't care – as nonfunctional descriptive material and will not be given any patentable weight).

Therfore, it would have been prima facie obvious to one of ordinary skill in the art to combine the use of validation flags with Reference A, for the useful purpose of supporting the secure storage of important component assembly and related information on secondary storage memory, as taught by Ginter (col. 215, lines 7-10).

31.   As per claim 20, Saito and Ginter teach the transaction authorisation system of claim 19

as described above. Saito does not further teach, **wherein the role manager comprises means**

for combining the permission values with an excluded flag over-riding enabled flags.

Ginter does teach a correlation flag that combines permission values with a flag (col. 215,

lines 46-53; Examiner is interpreting "over-riding enabled flags" as nonfunctional descriptive

material because it does not add any patentable weight to the claimed invention).

Therefore, it would have been prima facie obvious to one of ordinary skill in the art at the

time of the invention to combine the combining of permission values with flags with Reference

A, for the useful purpose of allowing the creator to produce permission records that reference the

budget owner's budget, as taught by Ginter (col. 215, lines 50-53).

Examiner Note

32.   Examiner has cited particular columns and line numbers in the references as applied to

the claims above for the convenience of the applicant. Although the specified citations are

representative of the teachings in the art and are applied to the specific limitations within the

individual claim, other passages and figures may be applied as well. It is respectfully requested

from the applicant, in preparing responses, to fully consider the reference in its entirety as

potentially teaching all of part of the claimed invention as well as the context of the passage as

taught by the prior art or disclosed by the examiner.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Peter L. Ludwig whose telephone number is 571-270-1365. The

examiner can normally be reached on Mon-Fri 7:30-5:00, 1st Fri. Off, 2nd Fri.7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Andrew Fischer can be reached on 571-272-6779. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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